



STATE OF WASHINGTON

## DEPARTMENT OF AGRICULTURE

*P.O. Box 42560 • Olympia, Washington 98504-2560 • (360) 902-1800*

### **Washington Pesticide Dealer Fact Sheet**

#### **Selling Restricted Use Pesticides based on a federal applicator certification for Indian Country**

##### **What has changed?**

Early in 2014, the U.S. Environmental Protection Agency (EPA) began issuing federal applicator certification to people using Restricted Use Pesticides (RUP) in Indian Country where no other recognized certification plan applies.

Washington state pesticide law does **not** apply in Indian Country. Applicators and dealers must follow federal pesticide law and any additional requirements of the tribal authority where they apply and/or distribute.

These new federal certifications are for both Private and Commercial Applicators. EPA considers any certified applicator license other than the Private Applicator license a Commercial Applicator license.

In Washington, this would include:

- Commercial Applicator and Operator
- Public Operator
- Demonstration and Research
- Private Commercial

##### **How do applicators become certified?**

To get a federal Commercial Applicator certification in Washington, Idaho, or Oregon, the applicator must apply to the EPA Region 10 office in Seattle and provide a current copy of a certified applicator license from one of these states (or a printout from the Washington State Department of Agriculture through the license search page at <http://agr.wa.gov/PestFert/LicensingEd/Search>).

To obtain a federal Private Applicator certification, the applicator must apply to EPA Region 10 and provide a current copy of their Private Applicator license from one of these states (or printout from the WSDA website), or attend an EPA training program.

## **How long will certification last?**

If the federal certificate is based on an underlying Washington state license, it will have an expiration date consistent with the end of the applicator's five-year state recertification period and does not require annual renewal. If a Private Applicator certification is obtained through training only, it is valid for four years. Pesticide Dealers located in Indian Country must report their location to EPA and maintain specific records of RUP sales for two years.

For complete information and instructions on applicator and dealer requirements, go to EPA's website, "Federal Certification to Apply RUPs in Indian Country," <http://www2.epa.gov/pesticide-applicator-certification-indian-country>.

## **Can a state-licensed pesticide dealer not located in Indian Country distribute a RUP based on federal certification?**

Yes, someone holding a current federal certification may purchase a federal or state RUP. However, keep in mind that the underlying state license may no longer be valid or a federal Private Applicator license may have been issued based on training and not an exam. In these situations, the applicator would **NOT** be qualified to legally apply on non-Indian land (i.e. state land). If you choose to distribute the product, WSDA strongly suggests you require a signed statement that the RUP will not be applied to state land. Always keep distribution records as required under Washington state pesticide law (WAC 16-228-1300 of the General Pesticide Rules).

## **Questions about the federal certification process and requirements? Contact:**

Gabriela Carvalho  
206-553-6698  
[Carvalho.gabriela@epa.gov](mailto:Carvalho.gabriela@epa.gov)

## **Questions about Washington state certification and legal requirements? Contacts:**

Pesticide Licensing  
1-877-301-4555  
[license@agr.wa.gov](mailto:license@agr.wa.gov)

Compliance Services  
(360) 902-2040  
[compliance@agr.wa.gov](mailto:compliance@agr.wa.gov)